

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA

FILED

JUL 26 2006

[Signature]
CLERK

CENTRAL DIVISION

UNITED STATES OF AMERICA,	*	
	*	CR. 06-30012
Plaintiff,	*	
	*	
-VS-	*	REPORT AND RECOMMENDATION
	*	FOR DISPOSITION OF DEFENDANT'S
JAMES EDWARD CLAIRMONT, II	*	MOTION TO SUPPRESS STATEMENTS
	*	AND EVIDENCE
Defendant.	*	
	*	

Defendant, James Edward Clairmont, II has filed a Motion to Suppress Statements and Evidence, Docket No. 23. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the July 26, 2006 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 26th day of July, 2006, at Pierre, South Dakota.

BY THE COURT:

[Signature: Mark A. Moreno]

MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY: *[Signature: Joseph Haas]*
Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition by August 3, 2006, shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).